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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,418	12/14/2001	Douglas J. Bradley	10541-794	6340
29074	7590	05/21/2004	EXAMINER	
VISTEON C/O BRINKS HOFER GILSON & LIONE PO BOX 10395 CHICAGO, IL 60610			THOMPSON, KENNETH L	
			ART UNIT	PAPER NUMBER
			3672	

DATE MAILED: 05/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/017,418

Applicant(s)

BRADLEY ET AL.

Examiner

Kenn Thompson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 February 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 9-13, 16, 17, 40-43 and 45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-13, 16, 17, 40-43 and 45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 9-13, 16, 17 and 40-43 and 45 are rejected under 35 U.S.C. 102(e) as being anticipated by Obeshaw, U.S. 6,586,110.

Regarding claim 9, Obeshaw discloses in figures 1-9 a composite drive shaft. Obeshaw discloses a plurality of discrete elongated stiffening mold members (fig 8, 26). Obeshaw discloses the elongated stiffening mold members (26) arranged parallel to a central axis wherein the elongated stiffening mold members extend longitudinally through the full length of the composite drive shaft (2). Obeshaw discloses composite fibrous material (22) extending around the elongated stiffening mold members in a cylindrical shape to hold the elongated stiffening mold members in place (col. 11, lines 36-41; see also col. 12, lines 16-41).

As to claim 10, Obeshaw discloses the elongated stiffening mold members have a trapezoidal cross-section (col. 12, lines 16-27).

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As to claim 11, Obeshaw discloses the elongated stiffening mold members have a T shaped cross-section (col. 12, lines 16-27).

As to claim 12, Obeshaw discloses the elongated stiffening mold members have a circular shape (col. 12, lines 16-27).

As to claim 13, Obeshaw discloses the elongated stiffening mold members (26) are removable to leave structural voids (6).

As to claim 16, Obeshaw discloses the structural voids (6) extend longitudinally through the full length of the composite drive shaft (col. 14, lines 1-15).

As to claim 17, Obeshaw discloses the structural voids (6) extend longitudinally through a portion of the length of the composite drive shaft (col. 14, lines 1-15).

Regarding claim 40, Obeshaw discloses in figures 1-9 a composite drive shaft. Obeshaw discloses a plurality of discrete elongated stiffening mold members (fig 8, 26). Obeshaw discloses the elongated stiffening mold members (26) arranged parallel to a central axis wherein the elongated stiffening mold members extend longitudinally through a portion of the length of the composite drive shaft (2). Obeshaw discloses the elongated stiffening mold members (26) are removable to leave structural voids (6) therein. Obeshaw discloses composite fibrous material (22) extending around the elongated stiffening mold members in a cylindrical shape to removably hold the elongated stiffening mold members in place (col. 11, lines 36-41; see also col. 12, lines 16-41).

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As to claim 41, Obeshaw discloses the elongated stiffening mold members have a trapezoidal cross-section (col. 12, lines 16-27).

As to claim 42, Obeshaw discloses the elongated stiffening mold members have a T shaped cross-section (col. 12, lines 16-27).

As to claim 43, Obeshaw discloses the elongated stiffening mold members have a circular shape (col. 12, lines 16-27).

As to claim 45, Obeshaw discloses the structural voids (6) extend longitudinally through a portion of the length of the composite drive shaft (col. 14, lines 1-15).

### ***Response to Arguments***

Applicant's arguments filed 10 February 2004 have been fully considered but they are not persuasive.

Applicant's Declaration of the Inventors Under 37 C.F.R. §1.131, which evidences the conception and reduction to practice of the claimed subject matter prior to 1 November 2000, is noted. However the effective filing date of Obeshaw, U.S. 6,586,110 is 7 July 2000, the filing date of Provisional application No. 60/216,636. The effective filing date of a patent is the filing date of an earlier application, benefit of which is accorded to the patent under 35 U.S.C. 119, 120, 121, or 365.

Applicant's arguments filed 10 February 2004, with respect to claims 40 and 43 have been fully considered and are persuasive. The rejection of claims 40 and 43 as being anticipated by Breese, U.S. 6,368,225 has been withdrawn.

***Conclusion***

Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenn Thompson whose telephone number is 703 306-5760. The examiner can normally be reached on 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David J Bagnell can be reached on 703 308-2151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KT  
May 14, 2004

  
DAVID BAGNELL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600